

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

Johnnie D. Cook,

Plaintiff, : Case No. 2:18-cv-1421

-vs- : Judge Sarah D. Morrison  
Mike Davis, : Magistrate Judge Preston Deavers  
Defendant.

**ORDER**

This matter is before the Court upon consideration of a Report and Recommendation (R&R) issued by the Magistrate Judge on June 5, 2020. (ECF No. 21.) In that filing, the Magistrate Judge recommended that Defendant Mike Davis' unopposed Motion for Summary Judgment (ECF No. 16) be granted and that Defendant's unopposed Motion to Dismiss for Failure to Prosecute under Fed. R. Civ. P. 41(b) (ECF No. 20) be granted in the alternative. The time for filing objections has passed, and no objections have been filed. For the reasons set forth in the R&R, the Court hereby **ADOPTS** the portion of the R&R (ECF No. 21) granting the Defendant's unopposed Motion for Summary Judgment (ECF No. 16) and **GRANTS** that same motion. The Court need not adopt the R&R's alternative holding recommending dismissal under Rule 41(b).

Judgment shall be entered in favor of Defendant on each of Plaintiff's claims.

**IT IS SO ORDERED.**

/s/ Sarah D. Morrison  
**SARAH D. MORRISON**  
**UNITED STATES DISTRICT JUDGE**